

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF:)	CASE NO. BK05-45289-TLS
)	
WAYNE L. KNEEBONE and)	
BRENDA K. KNEEBONE,)	CH. 13
)	
Debtor(s).)	

ORDER

Hearing was held in Lincoln, Nebraska, on October 3, 2007, regarding Filing No. 56, Motion for Turnover of Property, filed by the Chapter 13 trustee. Marilyn Abbott appeared for the Chapter 13 trustee and James Carney appeared for Bank of the West.

Through mutual mistake, Bank of the West has been overpaid on a secured claim in the amount of \$11,323. The trustee requested a return of the funds from Bank of the West, but has received no response. The trustee then filed this motion requesting an order directing Bank of the West to turn over the money to the trustee for distribution to the unsecured creditors.

Bank of the West is ordered to pay to the Chapter 13 trustee for the District of Nebraska, \$11,323 no later than October 16, 2007.

Because Bank of the West has previously received a request from the trustee and, through counsel, has received the motion filed by the trustee, and Bank of the West has ignored this situation, if it fails to pay the trustee \$11,323 by October 16, 2007, it shall be sanctioned in the amount of \$1,000 per day for every day after October 16, 2007, that it fails to respond to this order.

IT IS ORDERED:

1. The Chapter 13 trustee's motion for turnover of property (Fil. #56) is granted;
2. Bank of the West is to pay \$11,323 to the Chapter 13 trustee on or before October 16, 2007; and
3. Bank of the West will be sanctioned in the amount of \$1,000 per day for every day after October 16, 2007, if it fails to respond to this order.

DATED: October 3, 2007

BY THE COURT:

/s/ Timothy J. Mahoney
Chief Judge

Notice given by the Court to:

*Marilyn Abbott	Philip Kelly
James Carney	United States Trustee

*Movant is responsible for giving notice of this order to other parties if required by rule or statute.